

PATENT  
Attorney Docket No. 102.0010-01000  
Customer No. 22882

**NOTICE OF APPEAL TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

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**JUN 27 2006**

In re Application of: )  
Gary K. Michelson ) Confirmation No.: 9274  
Serial No.: 08/480,461 )  
Filed: June 7, 1995 ) Group Art Unit: 3764  
For: INSTRUMENTATION FOR THE )  
SURGICAL CORRECTION OF HUMAN ) Examiner: Michael Brown  
THORACIC AND LUMBAR SPINAL )  
DISEASE FROM THE LATERAL )  
ASPECT OF THE SPINE )

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

The items checked below are appropriate:

1. ☒ A Petition for a third month extension of time to further extend the period for response to June 27, 2006 is enclosed.
2. ☒ The Appeal Fee of \$500.00 is to be charged to Deposit Account No. 50-3726.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 50-3726.

Respectfully submitted,  
MARTIN & FERRARO, LLP

Dated: June 27, 2006

By: \_\_\_\_\_

  
Amedeo F. Ferraro  
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82 FC:1253 988.88 DA